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After Final Rejection - Please Expedite Handling

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTY.'S DOCKET: CAMPBELL=2A

In re Application of:

Robert CAMPBELL et al.

Serial No.: 08/804,166

Filed: February 20, 1997

For: HYBRID PROTEINS

Art Unit: 1646

Examiner: L. SPECTOR

Washington, D.C.

October 5, 1999

AMENDMENT AFTER FINAL REJECTIONHonorable Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

This is a substitute for the amendment filed October 1, 1999. Please disregard and do not enter the amendment filed October 1, 1999. Responsive to the Office Action of December 30, 1998, from which a Notice of Appeal was filed June 1, 1999, petition and payment for the third month extension of time attached hereto, please amend as follows:

IN THE CLAIMS

Please rewrite claims 1, 4 and 5 in twice-amended form as follows:

1 (Twice-Amended). A hybrid protein comprising two coexpressed amino acid sequences forming a [dimer] heterodimer, each comprising:

(a) at least one amino acid sequence selected from the group consisting of a chain of a homomeric receptor, a chain of a

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Atty.'s Docket: CAMPBELL-2A

Date: October 5, 1989

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M.G.J
10/6/99

THE COMMISSIONER OF PATENTS AND TRADEMARKS

Washington, D.C. 20231

S/r:

Transmitted herewith is an ☒ AMENDMENT AFTER FINAL REJECTION in the above-identified application.

Transmitted herewith is an ☒ **AMENDMENT AFTER FINAL REJECTION** in the above-identified application.

☐ Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted.

☐ Small entity status of this application under 37 CFR 1.9 and 1.27 is enclosed.

☐ A verified statement to establish small entity status under 37 CFR 1.9 and 1.27 is enclosed.

☐ No additional fee is required.

The fee has been calculated as shown below:

(Col. 1)			(Col. 2)		(Col. 3)	SMALL ENTITY		OTHER THAN A SMALL ENTITY	
CLAIMS REMAINING AFTER AMENDMENT			HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA		RATE	ADDITIONAL FEE	RATE	ADDITIONAL FEE
TOTAL	+ 15	MINUS	+ 20	= 0		x 9	\$	x 18	\$
INDEP.	+ 1	MINUS	+ 3	= 0		x 39	\$	x 78	\$
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM						+130	\$	+ 280	\$
						Total Additional fee	\$	TOTAL	\$

* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3
** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.
*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (total or independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment of the number of claims originally filed.

~~(XX)~~ Conditional Pardon for Extension of Time
If any extension of time for a response is required applicant requests that this be considered a petition therefor.

☒ It is hereby petitioned for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

Small Entity
Response Filed Within
☐ First - \$ 55.00
☐ Second - \$190.00
☐ Third - \$435.00
☐ Fourth - \$680.00
Month After Time Period Set

Other than small entity
Response Filed Within

<input type="checkbox"/> First	- \$ 110.00
<input type="checkbox"/> Second	- \$ 380.00
<input checked="" type="checkbox"/> Third	- \$ 870.00
<input type="checkbox"/> Fourth	- \$1360.00

Month After Time Period Set

Adjustment date: 11/24/2000 041510
 10/06/1999 VBAK: 00000000 0884116
 01 FC:116

☒ Less fees (\$ 380.00) already paid for 2 ¹⁶⁶ month(s) extension of time on October 1, 1999.
☒ Please charge my Deposit Account No. 02-4035 in the amount of \$490.00. A duplicate copy of this sheet is attached.
☐ A check in the amount of \$380.00 is attached (Check No.).
☐ Commissioner is authorized and requested to charge any additional fees which may be required in connection with this extension of time.

(XX) The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR Section 1.16 and all patent processing fees under 37 CFR Section 1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR Section 1.18.

Repln. Ref: 03/24/2000 PWILSON 0010013000
DAH:024035 Name/Number:08804166
FC: 704 Facsimile: (202) 737-3820 CR
Telephone: (202) 628-5197

BROWDY AND NEUMARK, P.L.L.C.
Attorneys for Applicant(s)

By: Allen C. Yum
Registration No. 37,971

10/05/99 TUE 16:41 [TX/RX NO 7747]

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